DOCUMENT RESUME

ED 115 433 32 RC 008 889

TITLE Title I Regulations and Guidelines for Local Educational Agencies, 1975-76. (State of Oklahoma, Elementary and Secondary Education Act of 1965, P. L. 89-10 as Amended by P. L. 93-380).
INSTITUTION Oklahoma State Dept. of Education, Oklahoma City.
SPONS AGENCY Bureau of Elementary and Secondary Education (DHEW/OE), Washington, D.C. Div. of Compensatory Education.
PUB DATE 75
NOTE 64p.

EDRS PRICE MF-$0.76 HC-$3.32 Plus Postage
DESCRIPTORS *Compensatory Education; *Educational Legislation; *Educationally Disadvantaged; *Elementary Secondary Education; *Guidelines; Migrant Children; Qualifications; Resource Allocations; State Programs
IDENTIFIERS *Elementary Secondary Education Act Title I; ESEA Title I; Oklahoma

ABSTRACT

Based on the recognition that educationally deprived children can achieve at a "normal" rate when provided comprehensive, innovative program services by a competent staff, compensatory education under the 1965 Elementary and Secondary Education Act Title I (ESEA Title I) aims to increase the academic achievement of eligible project participants. Intent of Title I is to raise the achievement level of students from low-income families who are classified as educationally deprived. Title I, as amended, provides for grants to local educational agencies in a state. This report presents Title I regulations and guidelines for local educational agencies in Oklahoma. These are excerpted from the ESEA Title I, U.S. Office of Education Regulations, State law, other State Board of Education regulations, and through experience and acceptable practices in the implementation of this and other educational programs in Oklahoma. Topics covered are: eligibility of applicants; administration, control, accounting, and auditing school district expenditures; allocation of funds to local educational agencies; reallocation of funds; special grants; application for funds; county cooperative program; project description; construction of facilities; program evaluation; and school district reports. Copies of the record and report of district expenditures and the annual equipment inventory record are appended. (NQ)

****
* Documents acquired by ERIC include many informal unpublished *
* materials not available from other sources. ERIC makes every effort *
* to obtain the best copy available. Nevertheless, items of marginal *
* reproducibility are often encountered and this affects the quality *
* of the microfiche and hardcopy reproductions ERIC makes available *
* via the ERIC Document Reproduction Service (EDRS). EDRS is not *
* responsible for the quality of the original document. Reproductions *
* supplied by EDRS are the best that can be made from the original. *
****

ED115433

ro 23-12-75

STATE OF OKLAHOMA

TITLE I REGULATIONS AND GUIDELINES FOR LOCAL EDUCATIONAL AGENCIES

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

P. L. 89-10 AS AMENDED BY P. L. 93-380

1975-76

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

2

State Department of Education
Leslie Fisher, State Superintendent
Oklahoma City, Oklahoma 73105

R0088889

CONTENTS

		Page
	Purposes	iii
	introduction	iv
1.0	Definitions	1
	1.19 Project Area	4
2.0	Eligible Applicants	7
	2.2.1 Needs Assessment	7
	2.6 Comparability of Services	8
	2.8 Private School Participation	22
	2.14 Parent Councils	25
3.0	Administration, Control, Accounting and Auditing School District Expenditures	29
4.0	Allocation of Funds to Local Educational Agencies	35
5.0	Reallocation of Funds	38
6.0	Special Grants	39
7.0	Application for Funds	40
8.0	County Cooperative Program	42
9.0	Description of Projects	45
10.0	Construction of Facilities	50
11.0	Evaluation of Program	53
12.0	School District Reports	55
	Appendix	56
	Record and Report of District Expenditures	57
	Annual Equipment Inventory Record	59

PURPOSES

Education in American society is the vehicle for social and economic mobility. Making such mobility possible is part of Education's responsibility. It challenges educators to provide a program that will insure success instead of failure, acceptance instead of rejection, motivation instead of alienation, encouragement instead of discouragement.

Poverty contributes to academic and social limitations which make it difficult for a child to perform in schools which are geared for the experiences of the middle class. The disadvantaged student usually enters a school minus the experiences which are expected of him and thus is then behind from the beginning. Such functional retardation is progressive, and by grades 4 and 5 he is often two years below grade level expectancy.

The primary goal of compensatory education (Title I ESEA) is to increase the academic achievement of eligible project participants. The goal is based on the recognition that educationally deprived children can achieve at a "normal" rate when provided comprehensive, innovative program services by a competent staff.

The intent of Title I is to raise the achievement level of students from low-income families who are classified as educationally deprived. Therefore, a comprehensive program must insure that each participant is the recipient of multiple services designed to meet his educational needs. The provision of a single activity or service is usually insufficient to compensate for the conditions which caused him to be identified as an educationally disadvantaged student.

INTRODUCTION

Title I of the Elementary and Secondary Education Act of 1965, as amended, provides for grants to local educational agencies in a state based on the number of eligibles in the aggregate of (1) the number of children aged five to seventeen, inclusive, in the school district of the local educational agency from families below the poverty level as determined on the basis of the most recent satisfactory data available; (2) two-thirds of the number of children aged five to seventeen, inclusive, from families receiving income under the program of aid to families with dependent children under Title IV of the Social Security Act, in an amount in excess of the poverty level according to the Orshansky Index; and (3) the number of children aged 5 to 17, inclusive, residing in recognized institutions for the neglected or delinquent children, multiplied by 40 percent of the average per pupil expenditure in the state, except that if the average per pupil expenditure in the state is less than 80 percent of the average per pupil expenditure in the United States, such amount shall be 80 percent of the average per pupil expenditure in the United States.

Other rules and regulations adopted herein are excerpted from this Title of the Act, U.S. Office of Education Regulations, State law, other State Board of Education regulations, and through experience and acceptable practices in the implementation of this and other educational programs in the State.

Applications, as well as other forms germane to this program, will be accepted or adapted from U.S. Office of Education criteria or will be appropriately developed by the State Department of Education.

1.0 DEFINITIONS

1.1 "Act" means Elementary and Secondary Education Act of 1965 (P.L. 89-10, as amended).

1.2 "Activity" means a step planned to meet the objectives set forth in a project plan.

1.3 "AFDC child" means a child on which welfare aid is drawn under Title IV of the Social Security Act.

1.4 "Component" means an organized part of a total project.

1.5 "Construction" means the erecting, building, acquiring, altering or remodeling, improving or extending of school facilities (above $2,000) and includes the preparation of drawings and specifications. (Fully mobile units are considered as equipment, while portable or demountable units are defined as construction.)

1.6 "Current expenditure" means those expenditures for free public education including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under Titles I, II, and III of the Elementary and Secondary Education Act of 1965.

1.7 "Delinquent child" means a child residing in a public or private non-profit residential facility for a period of time other than one of short duration, that provides custodial care primarily for children who have been adjudicated delinquent. Children who have been sentenced to serve over 30 days in an adult correctional

institution shall be considered as residing in an institution for delinquent children.

1.8 "Educationally deprived children" means those children who have the greatest need for special educational assistance in order that their level of educational attainment may be raised to that appropriate for children of their age. The term includes children who are handicapped or whose needs for such special educational assistance is a result of poverty, neglect, delinquency, and numerous other factors, or cultural or linguistic isolation from the community at large.

1.9 "Elementary school" means a school which provides education for grades K through six, or grades K through eight, or grades one through 6, or grades one through eight, depending upon the organizational plan of the school.

1.10 "Federal percentage" means 40 percent of the State's per capita cost of education (or 80 percent of 40 percent of the national average in the case of Oklahoma) for current expenditures the second preceding year.

1.11 "Handicapped children" means mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education.

1.12 "Local educational agency" means a public board of education or other legally constituted local school authority having administrative control and direction of free public elementary and/or secondary education in a school district. Such term includes any State agency which directly operates and maintains facilities

for providing free public elementary and/or secondary education For this part the term may be used synonymously with "school district."

1.13 "Low income factor" means the number of children of families earning less than poverty level income according to the Orshansky Index.

1.14 "Migratory child" means a child of a migratory agriculture worker who has moved from one school district to another during the past year with a parent or guardian who was seeking or acquiring employment in seasonal agriculture, including related food processing activities such as canning. Programs shall be specifically designed and funded for "current migrants," meaning those students who have migrated within the past 365 days. Once a child has been qualified as a migrant, in certain instances he may still receive special services up to a period of five years. In no instance may the five-year migrant students exceed the number of current migrants in a program.

1.15 "Neglected child" means a child residing in a well-recognized public or private non-profit facility which provides care for an indefinite period of time, for a least ten children.

1.16 "Private school" means a non-public elementary or secondary school which meets the requirements of the compulsory attendance law for elementary or secondary education in the State (for Title I purposes is located in Title I eligible attendance areas), and meets the requirements of the Civil Rights Act of 1964.

1.17 "Program" means an overall plan with respect to funds made available during a fiscal year which is intended to be put into effect by a State or local educational agency through one or more

projects.

1.18 "Project" means a set of related components proposed by an eligible agency and designed to meet certain educational needs of identified educationally deprived children.

1.19 "Project area" means the attendance area, or combination of attendance areas, having a high concentration of children from low-income families. A school attendance area for either a public elementary school or a public secondary school may be designated as a project area if the percentage of children from low-income families residing in that attendance area is as high as the percentage of such children residing in the whole of the school district, or if the estimated number of children from low-income families residing in that attendance area is as large as the average number of such children residing in each of the several school attendance areas in the school district.

If a combination of such methods is used, the number of project areas may not exceed the number of such areas that could be designated if only one such method had been used. In no event may a school attendance area be designated as a project area unless all school attendance areas with a higher number or percentage of children from low-income families (depending on the method used to determine the eligibility of that school attendance area) have been so designated. Eligible attendance areas may also be determined on the basis that the number or percent of children from low-income families exceeds the average number or percent of such children attending schools of like organizational structure. In addition, upon specific request by the local educational agency,

the State educational agency may approve the designation as project areas of attendance areas in which at least 30 percent of the children are from low-income families on the basis of current data using the criteria of poverty as applied in the latest Decennial Census.

A school attendance area which (1) does not meet the requirements of this Section for a fiscal year but (2) did not meet such requirements and received Title I services in either of the two fiscal years immediately preceding such fiscal year shall be deemed to meet such requirements for such fiscal year. Neither of such two preceding fiscal years shall be earlier than fiscal year 1975.

If there is no wide variance in the concentrations of children from low-income families among the several school attendance areas in the school district, the whole of a school district may be regarded as a project area. Such a determination may be made only if the variation between the areas with the highest and lowest percentage of such children is not more than one-third of the average percentage of children from low-income families in the district as a whole.

The term does not apply to a project to be carried out by a State agency at a school operated or supported by such agency for handicapped children, or for children in institutions for neglected or delinquent children.

1.20 "Public school" for this part means a legally constituted elementary and/or secondary school financed in part with local or state funds.

1.21 "Secondary school" means grades seven to twelve, inclusive, in schools that provide education through grade twelve.

1.22 "Teacher" means any person holding a valid certificate who is employed to serve as a district or county superintendent, supervisor, principal, librarian, school nurse, or classroom teacher, or in any other instructional, supervisory or administrative capacity.

1.23 "Teacher aide" means a competent adult employed to assist teachers of participating Title I children. Aides are not to be employed to relieve teachers of their teaching responsibilities.

1.24 "Tutor" means a competent person employed to render individualized assistance to eligible, participating Title I children.

2.0 ELIGIBLE APPLICANTS

To be eligible to receive Title I funds, a local educational agency must meet or agree to the following requirements:

2.1 It must be a public elementary and/or secondary educational agency.

2.2 It must propose a program of sufficient size, scope and quality to give a reasonable promise of substantial progress toward meeting the special educational needs of educationally deprived children. The primary intent of Title I is to raise the achievement level of students who are a grade or two below normal expectancy. Therefore, a comprehensive program encompassing a number of related developmental or remedial components enhances the chances of achieving Title I objectives. Student self-image, motivation, improving student health, and raising student aspirations are essential, but the end result of Title I can be achieved only when program design centers around the basic fundamentals of reading, writing, arithmetic, listening, communications, and these types of skills. Project planners are strongly urged to plan programs designed to alleviate pupil educational deficiencies in basic academic areas.

2.2.1 Such planning shall be based on a valid needs assessment revealing special educational needs of identified children at all grade levels residing in the project area, including children enrolled in private schools, and that priority needs were determined in consultation with teachers, parents and representatives of private schools. Project components must be tailored toward meeting one or more of the special educational needs of those educationally deprived children who have the greatest need for assistance. The types of

services offered in the project must correspond to the priority needs identified in the project application. The project must be tailored toward meeting these identified needs and must not be designed to meet the general needs of the school, or of the student body at large in a school, or in a specific grade. Each application shall describe the objectives of the project in relation to the identified needs of educationally deprived children.

2.3 It must be eligible to receive at least $5,000 based on the State's criteria for allocating a portion of county allotment(s) to a district except as provided below:

2.3.1 School districts with less than a $5,000 allocation must enter into a cooperative project with other districts unless the State Agency determines that the formation of a cooperative project would not be feasible or possible. If such determination is made, school districts with less than a $5,000 allocation may develop independent projects.

2.4 It must have on file with the State Department of Education an approved application as well as related project description and comparative indicators. Such information, as well as other data deemed necessary by the State Department of Education, shall be prepared on prescribed forms.

2.5 Funds granted to a district will not be "earned" until the provisions of the approved program are carried out and expenditures are made in accordance with the approved application or revision thereof.

2.6 Comparability of services:

2.6.1 A State educational agency shall not approve an application of a local educational agency for a Title I grant, or make payments of Title I funds under a previously approved application of such agency, unless that local educational agency has demonstrated, in accordance with 2.6.5, that services provided with State and local funds in Title I project areas are at least comparable to the services being provided with State and local funds in schools serving attendance areas not designated as Title I project areas. Such approval shall not be given unless the local educational agency also provides the assurances and the additional information required by 2.6.8 with respect to the maintenance of comparability.

2.6.2 The State educational agency shall require each local educational agency (except as provided in 2.6.9) to submit a report in such form as the Commissioner will prescribe, containing the information required by the State educational agency to make the determinations specified in 2.6.5. Such report shall include the following data for each public school serving a project area, unless such school is exempted by 2.6.11, and, on a combined basis, for all other schools of corresponding grade levels (as grouped in accordance with 2.6.9):

2.6.2.1 The number of children (membership).

2.6.2.2 The full-time equivalent number of certified and noncertified instructional staff members, who are paid with State or local funds regularly assigned to such public school or schools.

2.6.2.3 The total portion of salaries for such instructional staff members which is based on length of service (longevity).

2.6.2.4 The total amount of State and local funds being expended on an annual basis for salaries for such instructional staff members less the amount of such salaries based on length of service (longevity).

2.6.2.5 The number of enrolled children as reported under 2.6.2.1, per instructional staff member as reported under 2.6.2.2.

2.6.2.6 The amount expended per enrolled child for salaries for instructional staff as reported under 2.6.2.4.

2.6.2.7 In the case of a local educational agency which fails to meet the requirements of 2.6.5.1 or 2.6.5.2 a report showing the amount expended and to be expended in total and per child for textbooks, library resources, and other instructional materials and supplies (including the amount expended in previous years for all such items) that have been or will be made available for use in the current fiscal year.

2.6.2.8 The number of children and of members of instructional staff and expenditures for such staff, if any, that were excluded from determinations in accordance with 2.6.10.

The term "instructional staff members" as used in this Section means staff members who render direct and personal services with are in the nature of

teaching or the improvement of the teaching-learning situation. The term includes teachers, principals, consultants, or supervisors of instruction, librarians, and guidance and psychological personnel; it also includes aides or other paraprofessional personnel employed to assist such instructional staff members in providing such services.

2.6.3 The data required by 2.6.2 shall be as of a date not later than November 1 of each fiscal year as specified by the Commissioner. The local educational agency with the approval of the State educational agency and the Commissioner may, however, submit data based on averages for a definite regular school reporting period which includes the date specified by the Commissioner.

2.6.4 The report required by 2.6.2 shall be filed with the State educational agency no later than December 1 of each fiscal year.

2.6.5 The services being provided by the local educational agency with State and local funds in a Title I project area shall be deemed to be comparable to the services being provided with such funds in areas not being served under Title I of the Act, if the State educational agency determines that, for schools serving corresponding grade levels:

2.6.5.1 The number of children enrolled per instructional staff member, reported in accordance with 2.6.2.5, for each public school serving a Title I project area is not more than 105 percent of the average

number of children per instructional staff member in all other public schools in the applicant's district.

2.6.5.2 The annual expenditure per child, determined in accordance with 2.6.2.6, in each public school serving a Title I project area is not less than 95 percent of such expenditure per child in all other public schools in the applicant's district.

2.6.5.3 For those local educational agencies required to report under 2.6.2.7, the expenditure per child for textbooks, library resources, and other instructional materials and supplies, determined in accordance with that paragraph, in each public school serving a Title I project area is not less than 95 percent of such expenditure per child in all other public schools in the applicant's district.

2.6.6 Action by State agency in cases of non-comparability:

2.6.6.1 If any school serving a Title I project area is determined not to be comparable under 2.6.5, as of the date specified by the Commissioner in accordance with 2.6.3, and the local educational agency does not submit a revised comparability report by December 1 of that year showing that comparability in accordance with this paragraph has been achieved, the State educational agency shall as of that December 1 suspend its approval of the project until the date such a report is submitted to that agency, provided the date

of such submission is not later than the following March 31. Where such a report is filed by March 31, such suspension shall be lifted as of the date on which comparability has been achieved by such agency as shown in such report.

2.6.6.2 If such a report is not submitted to the State educational agency by March 31, that agency, after notifying the applicant agency and providing it an opportunity for a hearing, shall finally disapprove the project and reallocate all unobligated funds in the applicant's allocation as of December 1 to other complying local educational agencies in the State.

2.6.6.3 If the State educational agency finds that, as of a date after December 1, a local educational agency has failed to maintain comparability in accordance with 2.6.5 and has failed to take immediate action to correct that lack of comparability, the State educational agency shall, as of that date, suspend its approval of the project until the date as of which such local educational agency (by means of a revised comparability report) demonstrates that comparability has been achieved. If such local educational agency fails to demonstrate compliance by March 31, the State educational agency shall revoke its approval of the project (subject to notice and opportunity for hearing) as of the date the local educational agency was found not to be in compliance and shall

reallocate the balance of the unobligated funds to other complying local educational agencies in the State.

2.6.6.4 No Title I funds may be used to pay for obligations incurred during a period of suspension under this Section.

2.6.7 Special reports regarding migratory children.

2.6.7.1 For the purpose of this Section, the Commissioner may designate those local educational agencies which enroll substantial numbers of migratory children of migratory agricultural workers and migratory fishermen from which a State educational agency shall secure special reports. Each such report shall be in the form prescribed in 2.6.2 and the data provided shall be as of the date prescribed by the Commissioner.

2.6.7.2 Such date will be selected on the basis of the best available information indicating when the highest concentration of migratory children of migratory agricultural workers or migratory fisherman in the school district of the local educational agency is most likely to occur. The Commissioner will also designate the date such a special report shall be submitted to the State educational agency and by that agency to him.

2.6.7.3 The State educational agency shall determine on the basis of such special report whether the local

educational agency is providing comparable services in project areas in accordance with 2.6.5 and shall take such action as may be required by 2.6.6.

2.6.8 On or before July 1 of each year each local educational agency shall file with the State educational agency:

2.6.8.1 An assurance that the comparability of services previously demonstrated with respect to Title I project areas in accordance with 2.6.5 will be maintained in all such areas, including areas serving migratory children of migratory agricultural workers, and migratory fishermen, that will be designated as Title I project areas for the fiscal year beginning that July 1.

2.6.8.2 Data on schools serving attendance areas, if any, that will be designated for Title I projects for fiscal year beginning that July 1 but were not designated for such projects in the preceding fiscal year. Such data shall show either that such schools would have been comparable during the preceding fiscal year if those areas had been designated for projects or will, as the result of specific action by the local educational agency, be comparable during the fiscal year beginning that July 1.

2.6.8.3 An assurance that the amount expended for textbooks, library resources, and other instructional materials and supplies actually available per child for use in each school serving a Title I project area will be,

for that fiscal year, at least comparable to the amount available per child during such fiscal year in all other public schools in the applicant's district.

2.6.9 Grouping of schools:

2.6.9.1 For the purposes of this Section, a local educational agency shall group its schools by corresponding grade levels not to exceed three such groups (generally designated as elementary, intermediate or junior high school, and high school or secondary) for all the schools in the school district of such agency, except that local educational agencies providing education at seven or fewer grade levels above kindergarten shall be limited to one group, and those agencies providing education only at eight or nine grade levels above kindergarten shall be limited to two groups. In the case of agencies providing education at any level from grades six through twelve but only at those levels, the number of such groups shall be limited to two if the number of such grade levels is five or six and to one group if the number of such grade levels is four or less.

2.6.9.2 A school serving grades in two or three such groups shall be included in that group with which it has the greatest number of grades in common. Where the number of grades in common are equal between two or more groups, the school shall be included in the

lower grade division. For example, a local educational agency might have the following grade span organization: K-6 (elementary), 7-9 (junior high), and 10-12 (senior high). In addition, the local educational agency might have an intermediate school serving grades 5-8. Since this intermediate school has two grades in common with the elementary division (grades 5 and 6) and two grades in common with the junior high division (grades 7 and 8), it would be included in the lower grade division (elementary) for determining comparability. However, schools serving nine or more grade levels above kindergarten may be considered as a separate group which may, if necessary, constitute a fourth group.

2.6.10 Exclusions from determinations in certain cases:

2.6.10.1 In cases where handicapped children or children with specific learning disabilities are enrolled full time in special education classes, and where children of limited English-speaking ability are enrolled full time in special programs of bilingual education, all those children, the teachers and other instructional staff members who serve them, and instructional expenditures for such staff may be excluded by the local educational agency (at its option) in determining the comparability of services provided in project areas. In order to make these exclusions, State and local funds must

be used to provide services to handicapped children and children of limited English-speaking ability residing in project areas which are comparable to such services provided to similar children residing in non-project areas.

2.6.10.2 Subject to the provisions of 2.6.10.3, a local educational agency may (at its option) exclude from determinations under this Section, expenditures of State and local funds for (1) programs of bilingual education for children of limited English-speaking ability or (2) special programs for handicapped children where such children of limited English-speaking ability or such handicapped children do not participate in such programs on a full-time basis and may also exclude the staff employed with such State and local funds.

2.6.10.3 In order to make the exclusions as provided for in 2.6.10.2, a local educational agency must demonstrate, to the satisfaction of the State educational agency, that the services provided with such State and local funds to such children of limited English-speaking ability or handicapped children who reside in Title I project areas are comparable to such services provided to similarly disadvantaged children in nonproject areas.

2.6.10.4 For the purposes of this Section, the term "program of bilingual education" means a program of

instruction designed for children of limited English-speaking ability.

2.6.10.5 State and local funds expended for State and local programs similar to programs provided under Title I of the Act for educationally deprived children and the number of full-time equivalent instructional staff members employed through the use of such funds may, at the option of the local educational agency, be excluded from determinations under this Section. For the purpose of this Section and State or locally funded program for educationally deprived children shall be considered to be similar to programs under Title I of the Act if (1) the participating children are "educationally deprived" children; (2) the program is based on performance objectives related to educational achievement and provides supplementary services designed to meet the special educational needs of those particular children; (3) the program is evaluated in a manner consistent with those performance objectives, and (4) the local educational agency is separately accountable to the State educational agency for any State or local funds expended for such program.

2.6.11 A school with an enrollment of 100 children or less (as of the date or dates the data required by 2.6.2 are collected) shall not be included for purposes of this Section unless the local educational agency operates schools of such size and

corresponding grade levels both for areas to be served and areas not to be served under Title I of the Act, in which event such schools shall be considered as a separate group.

2.6.12 The requirements of this Section are not applicable to a local educational agency which is operating only one school serving children at the grade levels at which services under said Title I are to be provided or which has designated the whole of the school district as a project area.

2.6.13 Local educational agencies required to report under this Section shall maintain, by individual schools:

2.6.13.1 Appropriate resource records, including records of children's enrollment, the total expenditure for salary and the amount thereof based solely on longevity for each part-time instructional staff member.

2.6.13.2 Worksheets showing the total number of full-time instructional staff members, and the total amount of State and local funds being expended for salaries for such full-time and part-time staff members less the total amount of such salaries based solely on longevity.

2.6.13.3 Appropriate records documenting the exclusions made pursuant to 2.6.10.

2.6.13.4 Appropriate records documenting the amount expended per pupil for textbooks, library resources, and other instructional materials and supplies actually available during the current school year. Such

records and worksheets, demonstrating the maintenance of comparability for the entire school year, shall be filed, indexed, and maintained in such a manner that they may be readily reviewed by appropriate local, State and Federal authorities and shall be retained in accordance with applicable record retention requirements. All such records and worksheets shall be available to the public.

2.6.14 State agency submissions:

2.6.14.1 By January 1 of each year, the State educational agency shall submit to the Commissioner in such form as he will prescribe, a copy of the comparability report for each local educational agency in the State which the Commissioner has determined to be in a national sample of such agencies for that year.

2.6.14.2 The State educational agency shall also submit to the Commissioner by January 1 of each year, a report identifying each local educational agency that failed to meet the comparability requirement of 2.6.5 on the date specified under 2.6.4 or 2.6.7, and indicating for each such agency either (1) that such agency has allocated or reallocated sufficient additional resources to Title I project areas so as to come into compliance with such requirements and has filed a revised comparability report reflecting such compliance or (2) that the State educational

agency is withholding the payment of Title I funds to the noncomplying local educational agency.

2.6.14.3 A copy of each revised comparability report in such form as the Commissioner will prescribe shall be included with the State educational agency's report to be submitted by January 1.

2.6.14.4 Not later than April 30, the State educational agency shall report to the Commissioner whether any noncomplying local educational agencies have come into compliance, and if so, the State educational agency shall include revised comparability reports for such local educational agencies reflecting such compliance.

2.7 It must comply with HEW regulations under Title VI of the Civil Rights Act of 1964.

2.8 Participation by children enrolled in private schools:

2.8.1 Each local educational agency shall provide, consistent with State statutes, special educational services designed to meet the special educational needs of educationaliy deprived children residing in its school district who are enrolled in private schools. Such educationally deprived children shall be provided genuine opportunities to participate therein consistent with the number, nature and extent of their educational deprivation. The special educational services shall be provided through such arrangements as dual enrollment, educational radio and television, and mobile educational services and equipment not located on a private school site.

2.8.2 The needs of educationally deprived children enrolled in private schools, the number of such children who will participate in the program, and the types of special educational services to be provided for them shall be determined, after consultation with persons knowledgeable of the needs of these private school children, on a basis comparable to that used in providing for the participation in the program by educationally deprived children enrolled in public schools.

If the local educational agency determines that it is necessary, in order to meet the special educational needs of eligible private school children, services and activities may be provided to such children which are different from those provided to public school children. However, services and activities must be comparable (comparable does not mean identical) in quality, scope, and opportunity for participation to those provided to public school children with needs of equally high priority.

The application shall state how the needs of educationally deprived children enrolled in private schools were assessed, the number of such children who were found to be educationally deprived according to specific criteria, the number of such children who are expected to participate in each of the services under Title I and the degree and manner of their expected participation.

2.8.3 Public school personnel may be made available to render services for those educationally deprived children for whose needs such services were designed and only when such

services are not normally provided by the private schools (such as therapeutic, remedial, broadened health services, and guidance and counseling services). Such services may be rendered at the public school or a neutral site on the basis of dual enrollment. The application for a project including such special services shall provide satisfactory assurance that the applicant will maintain continuing administrative direction and control over those services.

2.8.4 Waivers in cases of legal prohibition:

2.8.4.1 If the Commissioner determines that a local educational agency has substantially failed to provide for the participation, on an equitable basis, of educationally deprived children enrolled in private elementary and secondary schools (as set forth in an approved application) he shall make arrangements for the provision of services to such children.

When the Commissioner arranges for services, he shall, after consultation with the appropriate public and private school officials, pay the cost of such services from the appropriate allocation or allocations under Title I of the Act. In the case of arrangements under this Section, such allocation shall be the allocation of the local educational agency affected.

2.9 It must agree to use its allotment to <u>supplement</u> and <u>not supplant</u> school district funds from State and local sources.

2.10 It must agree to expend funds as budgeted in the approved application and properly account for such funds.

2.11 It must agree to evaluate the success of the approved programs according to criteria prescribed by the State Department of Education.

2.12 It must agree to make necessary reports to the State Department of Education.

2.13 It must agree to follow other prescribed rules of the State Board of Education. All project activities approved must meet State Board of Education standards required for such activities.

2.14 Parent councils:

2.14.1 Each local educational agency shall demonstrate in each annual application submitted that it has established a parent council for the entire school district of such agency (hereinafter "district parent council") and, except as provided in 2.14.2, a parent council for each school served by the project set forth in the application (hereinafter "school parent council"). The application of such agency shall demonstrate that the district parent council, and each Title I attendance area school parent council has, as a majority of its members, parents of children (including parents of private school children) who participated in the program in the preceding year or who will participate in the current year's program; is composed of members selected by the parents in the school attendance areas designated as project areas, and in the case of a school parent council, is composed of members

selected by the parents in the school attendance area of such council; has been given the responsibility by such agency in the planning for, and the implementation and evaluation of, such project; and is provided by such agency with access to appropriate information concerning such project.

All of the parents of children eligible to attend a public school serving a project area, including parents of children living in such area and enrolled in private schools, shall be eligible to participate in the selection of members of the appropriate district and the school parent council of that school.

The local educational agency shall establish appropriate procedures whereby parents of children who participated in the preceding year or who will participate in the current year's program may, with their consent, be identified so that they may be considered for membership on a school or district parent council.

The local educational agency, after consultation with the current district parent council, shall establish appropriate procedures for the nomination and selection of parents and other persons for service on district and school parent councils. Such procedures shall include provision for affording adequate notice to the parents and the general public in the agency's school district (or in the appropriate school attendance area in the case of a school council) of the time, place, and method whereby

such selection would be made. Upon the selection of members of the council, the names of all members of such council shall be made available to the public through appropriate notices and continue to be available upon request.

The local educational agency may provide that the membership of its districtwide council will be composed solely of members of the school councils, each member of which is elected by his or her school council.

2.14.2 A local educational agency with only one school at which Title I services are provided or with two or more such schools with a combined enrollment of less than 1,000 children is required to have only a district parent council.

2.14.3 Each local educational agency shall include in its application information verifying that each council (not each council member) has been furnished free of charge copies of legislation, Federal and State Regulations, plans for future Title I projects, appropriate orientation and training materials, application and evaluation of the preceding fiscal year Title I project, needs assessment data, and that parents of Title I participants have had the opportunity to present views and comments concerning the Title I program to the parent council and that council has submitted comments to the local educational agency.

2.15 The State educational agency shall not finally dissapprove in whole or in part any application for funds under this Title without first

affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

3.0 ADMINISTRATION, CONTROL, ACCOUNTING AND AUDITING SCHOOL DISTRICT EXPENDITURES

3.1 The administration and operation of Title I programs shall be vested in the local public education agency for which an application is approved. Moreover, the title and control of property shall belong to such agency.

3.2 No expenditures can be made in a project prior to the approval date of the application affixed by the State Department of Education. A school district shall be notified of such approval.

3.3 Funds allocated to an agency shall be expended in accordance with the approved application or approved revision thereto. If at any time during the project period it becomes apparent that expenditures are not being used for such activities, payment on the project shall be stopped pending further clarification of the purposes and procedures of such project.

If adequate funds are available in the district allocation, officials are strongly urged to include in the application ample provision for administrative and clerical assistance. Such personnel assigned to such activities should be provided time during the school day to do their work. Superintendents and others should not be paid from these funds if they are employed as full-time annual employees and would have such working arrangement even without a Title I project.

Teachers whose salaries are paid in whole or in part from funds provided under this Title may be compensated at levels above the regular salary scale provided such levels are not deemed to be excessive.

The definition of a teacher for this purpose includes all teaching personnel but excludes administrators, supervisors and counselors. (Obviously, the purpose of this provision is to persuade highly efficient teachers to work in the schools with the highest concentration of deprived disadvantaged pupils.)

In accordance with Oklahoma State law, the State's obligation in payment of teacher retirement benefits on Title I teachers shall be charged to Title I funds.

3.4 Upon approval of the application and upon receipt of a properly executed copy of Form ESEA-I-17, RECORD AND REPORT OF DISTRICT EXPENDITURES, the State Department of Education will pay to the local school district, at least monthly, funds needed to liquidate accrued obligations including payroll for the current month. If the district prefers, such payment can be reimbursement of district funds paid on approved project expenditures.

3.5 Funds allotted under a project shall be obligated during the period of the project, but not later than June 30 of the subsequent fiscal year. Final payments on project obligations shall be completed before the end of the subsequent fiscal year.

A part of a fiscal year grant may be designated and approved as carry-over funds to be included in the subsequent fiscal year project. Such funds must be budgeted and accounted for separately subject to limitations set forth in the preceding provisions of this Section. All carry-over funds must be obligated by the end of the subsequent fiscal year. Services provided for by carry-over funds included in the current fiscal year project must meet all regular program criteria.

3.6 With respect to an application for a basic grant for the 1975-76 school year, the per pupil fiscal effort for the 1974-75 school year shall be equal to or greater than that of 1973-74, provided a variance of up to five percent (5%) will be deemed as no reduction (see definition 1.6), provided further, a district will not be disqualified by the State Department of Education because of a greater reduction if it is able to demonstrate that such reduction was due to an unusual circumstance. In subsequent years, the base year shall be the second preceding year, and annual expenditure requirements shall follow the pattern outlined in this part.

3.7 School districts shall maintain inventories and properly label, by year, all equipment (not consumable materials) acquired under this Title for the useful life of such equipment or until it is disposed of. The proceeds of the sale, but not less than its fair market value (precludes equipment traded in for other equipment to be used in a project), shall be credited to the Federal Government.

An addendum to the inventory of school district Title I equipment shall be filed annually with the State Department of Education. (Such list shall include only items purchased during the preceding fiscal year.)

Equipment owned by a district which is annexed to one or more other districts having approved Title I projects, shall become the property of the annexing districts, except when such equipment is used and centered in a county cooperative program. When it is in the Cooperative Center, its cost shall constitute a rental fee charged to the district for the use of all equipment in the Center while such district was a member.

Title I property acquired by a school district which dispenses with its school, but is not immediately annexed to another district, shall become the property of the district to which the children are transferred, assuming such district has an approved Title I project. If such children are transferred to more than one district, the property shall be equitably divided by the State Department of Education in cooperation with the Board of Education of the transferee districts having approved Title I projects. If the dispensed district, however, is a member of a county cooperative program, any of its equipment deposited and used in the Center shall be sacrificed for rental, as in the case of annexed districts noted above.

3.8 The official accounts showing receipts and expenditures of Title I funds by local educational agencies shall be maintained by the following agencies: Auditor of Federal Programs in the State Department of Education, treasurer of the local board of education, and the clerk of the local board of education. The Auditing Division of Federal Programs in the State Department of Education will audit the fiscal records of local school districts pertaining to expenditures claimed for Federal financial participation under this Title of the Act. These audits will be made annually, but on a two- or three-year cycle if necessary, and copies of such audits will be available in the Title I Section of the State Department of Education, State Capitol Complex, Oklahoma City, Oklahoma.

Persons auditing Title I expenditures will verify, at least on an acceptable sampling or selected basis, performance of the following steps:

3.8.1 Funds disbursed by the local agency were received and

properly accounted for.

3.8.2 Payments reported by the local agency were actually made to the vendors, contractors, and employees, and they conform to applicable laws and regulations, including procurement requirements.

3.8.3 Refunds, discounts, etc., were properly credited to the specific programs as reductions of the gross expenditures.

3.8.4 Payments are supported by adequate evidence of the delivery of goods or performance of services.

3.8.5 Encumbrances or obligations included in the report of expenditures were actually incurred during the fiscal year or period of project for which the project was approved, and by liquidation expenditures were properly adjusted.

3.8.6 The same item is not reported as an expenditure for two or more years, e.g., encumbrance in one year and payment in another.

3.8.7 All expenditures claimed for federally-supported Title I projects were made for properly approved projects and are easily identifiable with these projects.

3.8.8 State and local agency rules applicable to equipment records and control are followed.

3.8.9 Prorated expenditures, such as salaries, travel, etc., are divided correctly between two or more accounts, and the basis of such division can be substantiated as reasonable and equitable.

3.8.10 The sources of funds expended for federally-reimbursed projects were stated correctly, and the same expenditures were

not claimed under more than one Federal program.

3.8.11 Unexpended or unearned Federal funds advanced or overpaid were returned promptly or otherwise correctly accounted for.

3.8.12 Title I funds allocated to the district in the 1974-75 school year may be carried over for expenditure in an approved project during the 1975-76 school year. In such case, 1974-75 funds and 1975-76 funds may be expended on the same project. However, funds shall be accounted for and reported separately and thus shall not be commingled. Moreover, funds from the 1974-75 allocation should be expended first.

3.9 School districts having an approved indirect cost rate may utilize an amount of the Title I allocation, as reflected by the approved rate, for such indirect costs. The amount of the indirect cost is not to be included in the Title I budget.

3.9.1 Claims for payment of indirect cost may be included in the regular claim for reimbursement of approved project expenditures.

4.0 ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES

4.1 Except as provided in 4.2 below, the basic allocation which a local educational agency shall be eligible to receive for a fiscal year, beginning with FY 1975, shall be determined on the basis of:

4.1.1 The aggregate number of children aged 5 to 17, inclusive, in a district, from families below the poverty level (Orshansky Index), two-thirds of the number of children aged 5 to 17, inclusive, from families receiving AFDC assistance in an amount above the poverty level, and the number of children aged 5 to 17, inclusive, living in foster homes and institutions for neglected and delinquent children. Such aggregate number shall be determined by the State Department of Education on the basis of available, relevant data, evaluated by local educational agencies, and finally adjusted by the State Department of Education.

4.1.2 The number of eligibles as determined in 4.1.1, multiplied by an amount equal to 40 percent of the average per pupil State expenditure, except that if the average per pupil expenditure in the State is less than 80 percent of the average per pupil expenditure in the Nation, such amount shall be 80 percent of the national average per pupil expenditure in relationship to the aggregate amount of grants for all local educational agencies in a county.

4.2 Local educational agency grants within a county, however, shall be ratably reduced or increased to assure each LEA a minimum grant in an amount equivalent to 85 percent of the previous year's basic grant as provided by Title I, P.L. 93-380.

4.3 If a local educational agency lies in more than one county, its grant shall be the sum of its percentages of the county allocations in which it is located.

4.4 If the budget has not been approved at the time the Title I program is approved, the allocation shall be tentatively limited to 50 percent of such budgeted sum for the immediate preceding year.

4.5 If the sums appropriated for the school year are not sufficient to pay in full the total amount of a maximum grant allotted to a school district, such amount shall be ratably reduced. In the event that additional funds become available during the year, such reduced amount shall be increased on the same basis.

4.6 When an allocation has been computed for a district which is eliminated after July 1 of the current school year, such allocation shall be granted to the annexing school district. In the event the eliminated district is annexed to more than one district, its allocation shall be divided proportionately among the annexing districts according to the formula used for making a basic school district allocation stated in 4.1.2, or according to the percentage of children estimated to attend each annexing district, or according to the average daily attendance of such receiving agencies for the most recent year such data is available, depending on the most readily available information. If a district is annexed after the project is approved, the surviving district(s) shall be responsible for completing such projects.

When an allocation has been computed for a district in which all or part of the children are transferred after July 1, but prior to the beginning of the school year, because the grade(s) of

such children in such district is not taught, the allocation on such children in such grade(s) shall be granted to the receiving district(s).

5.0 REALLOCATION OF FUNDS

5.1 Subsequent to the cutoff date, to be determined by the State Superintendent of Schools, for filing Title I basic applications, any unrequested and unallocated funds from the State's allotment shall be reallocated to other local educational agencies. Priority shall be given to agencies requesting such available funds according to the following principles listed below. Such principles are listed in the order in which they shall be applied.

5.1.1 There is an acute reduction in the grant to the district for the current year in relation to that of the previous year, thus imposing a financial hardship on the district to maintain existing programs established the previous year.

5.1.2 There is an apparent inequity in the ratio of the number of formula children in the district to the total number of such children in the county.

5.1.3 The per capita wealth of the district is relatively low.

5.1.4 The quality of the proposed project for the district merits special financial consideration.

5.1.5 It is not feasible for the district to participate in a cooperative project with other districts.

5.1.6 There is an absence of available funds at the local, Federal or State level to be used to finance similar programs.

5.1.7 Reallotted funds shall be disbursed to districts meeting the above criteria on a per capita basis.

6.0 SPECIAL GRANTS

6.1 In addition to the basic grant and reallocated funds issued to local educational agencies, the State Department of Education may also allocate funds to local educational agencies on the basis of an approved application or by contract to eligible agencies for conducting approved programs of education for migratory children of migratory agricultural workers. Allocations will also be made to agencies where children in State homes for the handicapped, neglected, or delinquent attend.

6.2 Such funds shall be granted to eligible agencies according to the law, U.S. Office of Education regulations, and rules and regulations approved by the State Superintendent of Schools.

7.0 APPLICATION FOR FUNDS

7.1 The local educational agency shall file the original and three copies of the application for funds with the State Department of Education. An additional copy should be filed with the County Superintendent and one kept for local reference.

7.2 The cutoff date for filing an application shall be determined by the State Superintendent and districts shall be notified as early in advance as possible.

7.3 The superintendent of the school, or the county superintendent in the case of the non-high school district, shall be the authorized representative to sign the application.

7.4 All data in the application must be as correct and complete as possible. A variation in the cost of any category of the expenditure accounts in a project must have prior approval by the State Department of Education.

7.5 The application shall provide adequate description of each of the activities and services to be undertaken in the projects including lists of proposed equipment and materials and their estimated cost. School districts which are not permanently organized according to State law or State Board of Education regulations, and which do not participate in cooperative projects, shall exclude from their proposed projects the purchase of permanent type equipment, remodeling and construction. This, of course, does not preclude the purchase of consumable supplies.

7.6 The application shall outline specifically the procedure for evaluating the effectiveness of the program to be implemented.

7.7 The application shall provide for coordinating this program with

other programs having the same or similar purposes if such projects are in operation within the district. To avoid duplication of effort, the simultaneous use of funds under each of the acts is permitted to finance identifiable portions of a single project.

7.8 If construction is requested in the application, an adequate estimate on cost of labor, needed facilities and site shall be included.

7.9 The application shall provide the required assurances to the State Board of Education.

8.0 COUNTY COOPERATIVE PROGRAM

8.1 School districts of a county may organize a county cooperative program for implementing approved projects under Title I of the Elementary and Secondary Education Act. In the formation of an organization to implement such a program, the following regulations shall be applied. Other rules and regulations which are not inconsistent with those of the State Board of Education, with State law, or with Federal Title I regulations may be adopted locally as necessary for the effective operation of the cooperative program.

8.1.1 The Board of Education of each participating district shall, at a regular or special meeting, vote to become a member of the cooperative organization.

8.1.2 One professional employee from each participating school district shall serve as a member of the Board of Directors of the cooperative organization. Such Board shall serve as the policy making body of the organization.

8.1.3 The county superintendent of schools shall serve as the administrative head, secretary, and authorized representative of the cooperative program.

8.1.4 Participating school districts receiving allotments of less than $5,000 shall dedicate their entire Title I allocations to the cooperative program.

8.1.5 Upon the approval of the Title I application for a cooperative project the State Department of Education will, upon the receipt of a properly executed State claim from each member school, pay to the district treasurer the amount which has been approved.

8.1.6 The county superintendent shall subsequently file a claim with the district for the proper amount of Title I funds, and upon receipt of warrant shall deposit said funds in the county superintendent's depository account in the county treasurer's office.

8.1.7 All expenses incurred in the project shall be paid from the depository account on properly executed claims.

8.1.8 The county superintendent may employ personnel, contract for services, and purchase equipment and supplies essential to achievement of project objectives.

8.1.9 Each participating school district shall receive its fair, pro rata share of the benefits and services provided in the cooperative program.

8.1.10 Each participating school district shall retain an undivided interest in its pro rata share of equipment and other capital outlay acquired in the cooperative project. Provided funds paid into a county cooperative program to purchase equipment and materials used and kept in the Center shall constitute rental fees for the use of all such equipment and materials in the Center when a district withdraws or is annexed to another district.

8.1.11 A school district shall not withdraw from the cooperative program during the year for which it has been approved unless such district is annexed and withdrawal is mutually agreed between the cooperative program and the surviving district(s).

8.1.12 It shall be the duty of the county superintendent to see that all activities relating to the cooperative project are

performed, and to see that reports are made to the State Department of Education.

9.0 DESCRIPTION OF PROJECTS

9.1 A local educational agency cannot assign any part of its eligibility to another such agency, but two or more may conduct a joint program through the combined use of the grants for which each is eligible provided, however, that each agency has an approved application for such participation.

9.2 The application shall designate for each project the project area and it may include one or more eligible attendance areas.

9.3 The project area should be restricted in size so as to avoid jeopardizing the effectiveness of aims and objectives of the program.

9.4 All children within the project area who are in need of the services to be provided by the project(s) will be eligible to participate on the basis of priorities as determined, utilizing valid need assessment data.

9.5 Project components must meet the State Board of Education standards set up in that particular Division.

9.6 Consistent with State law, Attorney Generals' opinions, and State Supreme Court decisions, the project must include eligible children in non-public schools of the district.

9.7 The objectives of the Title I project(s) shall be stated in measurable terms and described in the application form. A program of sufficient size, scope, and quality shall be proposed to give reasonable assurance of progress toward reaching project aims.

9.8 Title I Project Criteria

Local educational agencies are urged to use ingenuity and develop innovative approaches to meet the educational needs of deprived children.

9.8.1 Title I resources should be concentrated on those children most in need of special services, consequently, the Title I project will be conducted in a limited number of eligible attendance areas and will provide a high concentration of services to a limited number of educationally deprived children residing in eligible attendance areas having a high incidence of low-income children.

9.8.2 All instructional services to be rendered by teachers, supervisors, counselors, librarians, aides, clerical employees, etc., must be linked programmatically to the special instructional services.

9.8.3 Non-instructional support services should be provided only on an individual basis to overcome serious health and welfare needs that would otherwise interfere with the child's educational development, particularly with respect to Title I program objectives.

9.8.3.1 It is reasonable to assume that a librarian or a counselor would be effectively and efficiently employed solely as a member of a Title I instructional team? If not, then he should not be considered as a full-time Title I staff member.

9.8.3.2 Needs of children for welfare services of all kinds exert considerable pressure on local Title I project budgets. The provision of such services solely on the basis of economic need is bound to deprive other children of instructional services that are appropriate for their particular educational needs.

Accordingly, non-instructional support services must be limited to children who are receiving special instructional services.

9.8.4 Transportation services are to be provided only to the extent necessary to implement a specific Title I activity with specific educational objectives. Transportation to and from school, however, is a service which the local educational agency is required to provide without regard to the availability of Title I funds. Accordingly, any transportation at Title I expense must be for other than regular daily transportation to and from school.

9.8.5 Expenditures for equipment will b limited to the minimum required to implement approved Title I activities.

9.8.6 Adequate amounts shall be budgeted for fixed charges to assure payment of all OASI and Retirement matching funds for project personnel. Such amounts must be detailed separately.

9.8.7 Expenditures for plant operation and maintenance shall be limited to amounts necessary to operate and maintain only such classroom space constructed specifically for Title I components, or opened for use for Title I components subsequent to the advent of ESEA.

9.8.8 Basic regulatory provisions preclude the use of personnel who are paid entirely from Title I funds for hall, yard, bus duty, or similar duties. These duties have always been performed in Title I and non-Title I schools by personnel who are paid from State and local funds and hence, the use of full-time Title I personnel for this purpose would not be supplementary.

If such duties must be performed by Title I, as well as other personnel, in order to meet the terms of their employment, then the time involved must be compensated for with State and local funds.

9.8.9 Full-time underachieved classes are approvable under certain conditions. Basically, it is necessary to conform to the provisions of Section 116.17(h) of the Federal Regulations regarding use of Title I funds to supplement and not supplant State and local funds. It is also necessary to insure that the basic educational services for children who do not participate in a Title I program are also provided to children participating in a Title I program, in accord with the comparability provisions of Section 116.26 of the Regulations. The conditions under which full-time underachieved classes may be approved follow:

9.8.9.1 All requirements concerning comparability have been met.

9.8.9.2 Programs are substantially different in quality and content from services offered children in regular classrooms and are designed to meet specific needs of the children to be served.

9.8.9.3 If a school having an enrollment of 100 pupils is expected to employ 4 teachers from State and local funds, it follows that a Title I school with the same number of pupils would also be expected to employ 4 teachers from State and local funds. Additional teachers could then be employed under an

approved Title I application to implement Title I activities. It is only after the basic educational services have been provided with State and local funds uniformly throughout the school district that supplementary services funded under Title I should be provided to eligible children.

9.8.10 Title I personnel are to be employed only for the specific purpose of providing special supplementary services to identified children, therefore, it is necessary to provide from State and local funds the minimum number of personnel as required by State accreditation standards in the Title I school before any personnel are employed to be paid from Title I funds. A similar ratio of services paid from State and local funds must exist in Title I and non-Title I schools.

10.0 CONSTRUCTION OF FACILITIES

10.1 Since construction is a capital investment of long duration and requires relatively large sums of money, hopefully, school districts will propose Title I projects which can be conducted with existing facilities either during a regular school day, evenings, Saturdays, or during the summer months when some facilities at the school are not in regular use. Even so, construction and remodeling which are essential but otherwise impossible to the implementation of an activity approved in a project, may be eligible for approval in a Title I application.

10.2 That part of an application relating to construction or major remodeling should include sketches of the work to be done and the estimated cost of such construction.

10.3 No construction will be approved in a school district which is not a relatively permanent organization in accordance with State law and State Board of Education standards.

10.4 If construction is approved, the local educational agency, except in unusual cases, will be expected to make extensive effort to finance a major portion of the cost of the building or remodeling with local funds.

10.5 Construction of facilities in a Title I project shall be consistent with State standards for school facilities.

10.6 A Title I project in any fiscal year cannot be solely a construction project. That is, a portion of the funds must be allocated for use on operational projects. Hence, construction must be essential to the implementation of one or more Title I activities.

10.7 Plans for the construction of facilities must comply with standards

which insure to the extent appropriate, in view of the use to be made of such facilities, due consideration to accessibility of handicapped persons.

10.8 In the development of plans for construction, due consideration must be given to excellence of architecture and design and to inclusion of works of art (representing not more than 1 percent of the cost of such construction).

10.9 Construction and major remodeling (repairs or renovations amounting to more than $2,000) will be subject to the provisions of the Davis-Bacon Act, as amended.

10.10 The nondiscrimination clause prescribed by Executive Order No. 11246 shall be incorporated in any contract for construction or major remodeling.

10.11 If construction is approved, the State Department of Education will send the applicant necessary information concerning labor standards and nondiscrimination in employment.

10.12 All laborers and mechanics employed by contractors or subcontractors will not be paid less than prevailing rates as determined by Secretary of Labor on similar construction in the area.

10.13 Before a contract can be made for construction of facilities, the local educational agency shall send to the State Department of Education prevailing labor rates to be paid on the job.

10.14 The local educational agency shall send to the State Department of Education (1) the architect's drawings, (2) name of the architect, (3) copies of three bids with appropriate explanation if the lowest bid was not accepted, (4) name of the contractor, (5) the date the contract is made, (6) amount of the contract, (7) the

expected completion date, and (8) the amount of Title I funds to be used.

10.15 A contract for construction shall provide for payment to the local educational agency of liquidated damages in the event of a failure by the contractor to complete the construction work in timely fashion. Such funds received by the local agency shall be credited against the cost of the project.

11.0 EVALUATION OF PROGRAM

11.1 The local educational agency shall evaluate at least annually the effectiveness of its Title I program.

11.2 The local educational agency must describe the procedure and techniques, including objective measurements, for evaluating its proposed program.

11.3 The evaluation shall include an assessment of the increase in educational opportunities afforded by that part of the project relating to instruction.

11.4 Evaluative criteria should be related to changes in educational status and opportunities may include:

11.4.1 Educational achievement in educational skills.

11.4.2 Levels of educational attainment as may be indicated by dropout rates.

11.4.3 Educational motivation as evidenced by attention, performance, and attendance.

11.4.4 Behavioral deviations and other special handicaps to educational progress.

11.4.5 Cultural and social conditions related to educational opportunities and progress.

11.4.6 Educational opportunities provided in the school setting, including curriculum, special programs, staff, faciiities, and community support.

11.5 The measurement of educational achievement under a project should include a basis for measuring or estimating the educational deprivation of those children who will participate and for comparison upon completion of the project such achievement by some objective

measurement or form. Hence, it will be necessary to test these pupils with a standardized, valid achievement test near the beginning of the project and a form of the same test at the end of the project.

11.6 The type of measurement used should be designed such that it will lend itself to reporting to the State Department of Education, thence to the U.S. Office of Education and Congress.

11.7 The evaluation should be extended to eligible children in private schools who are dually enrolled in the project.

12.0 SCHOOL DISTRICT REPORTS

12.1 The local educational agency shall make such reports promptly to the State Department of Education as are necessary to enable it to perform its duties under Title I, ESEA. Reports must include information relating to educational achievement of children participating in the program.

12.2 The local educational agency shall keep such program and fiscal records and afford access thereto to the State Board of Education as it may find necessary to assure the correctness and verification of activities and expenditures under a Title I grant.

12.3 The local educational agency shall describe in its application for a project its method adopted for reviewing, selecting and disseminating information derived from the project to teachers and administrators so they can profit professionally from such experience. Information relating to the program shall also be made available to the public so that lay citizens may know about its effects.

12.4 Any material produced through a project shall not be copyrighted, but shall be placed in the public domain.

APPENDIX

	Page
Record and Report of District Expenditures	57
Annual Equipment Inventory Record	59

76-ESEA-I-17
(Return 3 Copies)

OKLAHOMA STATE DEPARTMENT OF EDUCATION
TITLE I, ESEA
RECORD AND REPORT OF DISTRICT EXPENDITURES

School _____ District No. _____ County _____ FY _____

Project No. _____ Amount of Approved Project $ _____

Reporting Period _____ Signature _____

P. O. or Payroll Claim No.	Date	Warrant No.	Date	Budget Account No.	Person or Vendor	Amount Paid	Approved Balance
						$	$
					Total	$	$

If additional space is needed use page 2.

Cumulative expenditures by account number:

	100	200	300	400	500	600	700
Salary	$	$	$	$	$	$	$
Other	$	$	$	$	$	$	$

	800	900	1000	1100	1200 (Ex. C)	1230C	Total
Salary	XXXXXXXXXXXX	XXXXXXXXXXXX	$	$	XXXXXXXXXXXX	XXXXXXXXXXXX	$
Other	$	$	$	$	$	$	

1. Disbursements previously reported $ _____ 2. Disbursements for reporting period $ _____

3. Cash on hand at end of period $ _____ 4. Amount of cash required for period $ _____

62

School _____ District No. ____ County _____ FY ____

P. O. or Payroll Claim No.	Date	Warrant No.	Date	Budget Account No.	Person or Vendor	Amount Paid	Approved Balance
						$	$
						$	$

76-ESEA-I-18
(Return 2 Copies)

OKLAHOMA STATE DEPARTMENT OF EDUCATION
TITLE I, ESEA
YEARLY RECORD OF EQUIPMENT PURCHASED WITH TITLE I FUNDS
(Include Only Equipment Costing $100 or More Per Unit)

School _____ District No. _____ County _____

School Year 1974-75 Project No. _____ Signature _____

Item Purchased		Quantity	Serial Number
FY 1975 Funds	FY 1974 Carry-Over Funds		